

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

SIMON GOGOLACK,

Defendant.

23-CR-99-JLS-JJM

NOTICE OF MOTION

MOTION BY:

Jeffrey T. Bagley, Assistant Federal Public
Defender

DATE, TIME & PLACE:

Before the Honorable Jeremiah J. McCarthy, United
States Magistrate Judge, Robert H. Jackson United
States Courthouse, 2 Niagara Square, Buffalo, New
York, **on the papers submitted.**

SUPPORTING PAPERS:

Affirmation of Assistant Federal Public Defender
Jeffrey T. Bagley, dated June 28, 2024

RELIEF REQUESTED:

Adjournment of Oral Argument Date

DATED:

Buffalo, New York, June 28, 2024

/s/ Jeffrey T. Bagley

Jeffrey T. Bagley
Assistant Federal Public Defender
Federal Public Defender's Office
300 Pearl Street, Suite 200
Buffalo, New York 14202
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jeffrey_bagley@fd.org
Counsel for Defendant

TO: Joseph Tripi, *et al.*
Assistant United States Attorneys
Western District of New York
138 Delaware Avenue, Federal Centre
Buffalo, New York 14202

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v.

AFFIRMATION

SIMON GOGOLACK,

Defendant.

JEFFREY T. BAGLEY, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and was assigned to represent the above-named defendant, Simon Gogolack.

2. There are several motions currently outstanding. This Court scheduled an oral argument on these motions on July 11, 2024. I am out of town that date and therefore respectfully request an adjournment until the week of July 22, 2024.

3. I have contacted the other defense attorneys in this case, and none have raised an objection to this adjournment.

4. Mr. Moscato reported that he is unavailable in the morning on July 24 and the afternoon on July 25.

5. Mr. Henry reported that he is unavailable from noon to 1PM on July 23, and 9:30 AM on July 24.

6. I acknowledge that time under the Speedy Trial Act should be excluded from July 11, up to the new date selected during the week of July 22, for purposes of continuity of counsel and in the interests of justice.

7. The government objects to the requested adjournment.

DATED: Buffalo, New York, June 28, 2024

Respectfully submitted,

/s/ Jeffrey T. Bagley

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